

Notice of Allowability

Application No.

09/916,113

Examiner

Joseph R. Maniwang

Applicant(s)

HINO ET AL.

Art Unit

2144

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 2/22/06.
2. ☒ The allowed claim(s) is/are 1-15 and 18-38.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☒ Interview Summary (PTO-413), Paper No./Mail Date 2006 0311
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

WILLIAM C. VAUGHN, JR.
PRIMARY EXAMINER

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.
2. Authorization for this examiner's amendment was given in a telephone interview with Attorney Michael G. Gilman (Reg. No. 19,114) on 03/22/06.
3. The application has been amended as follows:
Claim 39. (Cancelled)

Allowable Subject Matter

4. Claims 1-15 and 18-38 are allowed.
5. The following is an examiner's statement of reasons for allowance:
6. The provision for the remote control system comprising a gateway apparatus for remotely controlling a home appliance as defined in the claims is not fairly taught or suggested by the prior art. The best prior art, Edson (U.S. Pat. No. 6,526,581), disclosed a system for networking devices of various divergent technologies for access to communications, including a gateway connected to a plurality of appliances (see column 3, lines 14-18; column 9, lines 8-14; see column 7, lines 44-57), which could be remotely controlled through the use of the gateway (see column 15, lines 29-39). The

gateway comprised a memorizing means for storing an operating system controlling the functions of the gateway (see column 9, lines 8-32), including functions to determine whether or not a command received over a network would be allowed (see column 9, lines 34-51). Edson disclosed the use of a first and a second network for transmitting commands and data (see column 3, lines 11-25, 63-66; column 5, lines 36-44; column 9, line 64 through column 10, line 6) and upon determining whether a command received through the network was acceptable, the gateway produced a control command specific to the appliance being controlled (see column 3, lines 40-43; column 12, lines 21-37). Edson also disclosed the use of different interfaces for enabling communications between appliances through the network (see column 3, lines 25-43, 46-59; column 4, lines 45-65; column 12, lines 50-67).

7. However, the prior art references do not teach (alone or in combination) all the limitations together within the independent claims. For example, the cited references do not teach preferential acceptance of a control instruction to perform a particular series of operations in preference to other non-preferred operations, as argued by Applicant (see Remarks, p. 15-16). Support for this functionality can be found in the enabling portions of Applicant's Specification on p. 18, line 12 through p. 19 line 15; p. 27, line 4 through p. 28, line 13; Figs. 11 and 32.

8. Therefore, the independent claims have allowable subject matter and are allowable over the prior art of record.

9. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably

accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Response to Arguments

10. Applicant's arguments filed 04/13/05, with respect to claims 1-15 and 18-39 have been fully considered and are persuasive. The rejection of the claims has been withdrawn.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Ishikawa et al. (U.S. Pat. No. 6,963,925)

Ishikawa et al.(EP 1063829 A2)

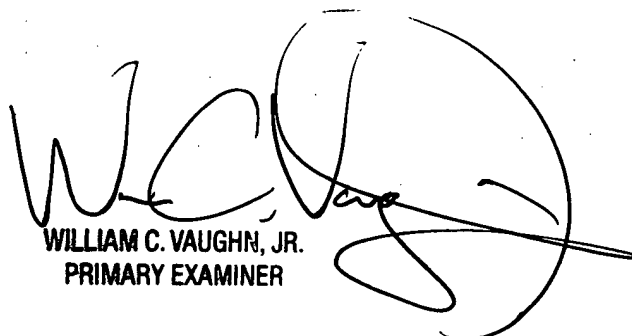
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Joseph R. Maniwang whose telephone number is (571) 272-3928. The examiner can normally be reached on Mon-Fri 8:00-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William C. Vaughn can be reached on (571) 272-3922. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

JM


WILLIAM C. VAUGHN, JR.
PRIMARY EXAMINER